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FORT LAUDERDALE CITY COMMISSION
June 5, 2001**

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MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
JUNE 5, 2001

Meeting was called to order at 6:12 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Tim Smith
Commissioner Carlton B. Moore (6:18)
Commissioner Cindi Hutchinson (6:12)
Commissioner Gloria Katz
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sgt. Schendel

Invocation was offered by *Pastor Doug Rasku*, Calvary Chapel of Fort Lauderdale.

Pledge of Allegiance to the Flag.

At 6:12 P.M., Commissioner Hutchinson arrived at the meeting.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the agenda and minutes of the meeting as shown below be approved:

Regular Meeting May 15, 2001

Roll call showed: YEAS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle. NAYS: none.

Note: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

PRESENTATIONS (OB)

1. Expressions of Sympathy

Mayor Naugle presented Expressions of Sympathy, on behalf of the City Commission, to the families of *Thomas Becker, Michele Burpee, Bruce Eugene Brasfield, and Marie Collett Curtis.*

2. Community Appearance Board's House of the Year Award

Commissioner Smith presented the Community Appearance Board's House of the Year Award to

Doug Blevins and Jay Hering.

He said they were modern Fort Lauderdale pioneers because they had moved into a difficult community and transformed a building that had been a blight on the neighborhood. He displayed photographs of the property, and the recipients were acknowledged with a standing ovation. Mayor Naugle pointed out that xeriscaping had been used on this property as well. Mr. Blevins agreed that was true, and he expressed appreciation for this honor.

At 6:18 P.M., Commissioner Moore arrived at the meeting.

3. Smoke Detector Test

Commissioner Moore demonstrated the proper method of testing the batteries in a smoke detector and encouraged everyone at home to do the same. He also recognized a member of the audience, Mrs. Ada Moore, who had been a City employee for 30 years.

4. Community Appearance Board's Sponsor Recognition Awards

Commissioner Katz presented the Community Appearance Board's Sponsor Recognition Awards and recognized the members of the Community Appearance Board who were present. The sponsors included The Las Olas Company, EDSA, the Stiles Corporation, Bongatrevi General Contractors, Glowers Ford Tractor, and New Phase Realty. She noted that these awards would not be possible throughout the year but for these sponsors, and she advised that CH2M Hill and Formworks were becoming sponsors this years. Commissioner Katz also recognized the Causeway Lumber Company, which had sponsored the WOW Awards for 2 years.

5. Mr. Fred Stresau, Board of Adjustment

Commissioner Smith presented a plaque in recognition of 28 years of service to the City as an advisory board member, most recently of the Board of Adjustment. He had started on the Planning & Zoning Board in 1973 and moved on to the Board of Adjustment, both of which were difficult assignments that required a great deal of work. Mr. Stresau hoped his votes had always been for the good of the City, and he expressed appreciation for this recognition.

6. "Howard Stillman Bates Day"

Commissioner Moore read aloud and presented a Proclamation declaring June 7, 2001 as "Howard Stillman Bates Day" in the City of Fort Lauderdale in honor of Mr. Bates' 90th birthday. He stated that Mr. Bates was currently in the hospital, but he had been traveling to Fort Lauderdale since 1919. Mr. Bates was an active supporter of the arts and had donated a sculpture for placement in Colee Hammock Park. A moment of silence was observed to pray for Mr. Bates' speedy recovery.

7. “Code Enforcement Officers Appreciation Week”

Commissioner Hutchinson read aloud and presented a proclamation declaring June 25 to 29, 2001 as “Code Enforcement Officers Appreciation Week” in the City of Fort Lauderdale. Ms. Lori Milano, Director, accepted the proclamation on behalf of the Community Inspections Bureau. She also announced that the Department had put together a cookbook to raise funds for the community, which was available for \$10. Commissioner Hutchinson also wished to recognize the Department for the volunteer work they had done over the weekend to help an elderly member of the community paint her house.

8. Outstanding City Employees of the Month

The City Manager introduced Department Directors to present the Outstanding City Employees of the Month:

- David Deal, of the Parks & Recreation Department; and
- Lieutenant Sandra Damasio and Firefighter/Paramedic Jason Bohan, of the Fire-Rescue Department
- John McGeary, Scott Hull, James Crawford, Carlton Grate, Brian Eddington, Patrick Joyce, and Joe Heyward, of the Public Services Department;
- Chuck Lohman and Sedley Lawrence, of the Administrative Services Department; and
- Officers Samuel Bryan and Robert Norris, Sergeant James Wright, Detectives Dennis Salsberry and Allan Lerner, and Teresa Bryant and Jay Saxon, of the Police Department.

9. Water Restrictions

Mayor Naugle stated that despite recent rainfall, the City continued to face a severe water shortage and asked Fort Lauderdale residents to “Turn it Off!” He also announced that on June 6 and 7, from 6:00 to 9:30 P.M. a water conservation class would be offered at the Fiveash Water Treatment Plant. Additional information was available by calling 762-8962.

Consent Agenda (CA)

Those matters included under the Consent Agenda are self-explanatory and are not expected to require review or discussion. Items will be enacted by one motion; if discussion on an item is desired by any City Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Big Time Summer Show(M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **W. W. International** to indemnify, protect, and hold harmless the City from any liability in connection with the **Big Time Summer Show** to be held **Sunday, June 10, 2001 from 10:00 a.m. to 6:00 p.m.** at the Fort Lauderdale Stadium festival grounds.

Recommend: Motion to approve.
Exhibit: Memo No. 01-831 from City Manager.

**Agreement – Auto Testers, Inc. d/b/a
Advanced Car Control Techniques – Teenage Driving Training Program(M-2)**

A motion authorizing the proper City officials to execute agreement with Auto Testers, Inc. d/b/a Advanced Car Control Techniques to provide a driver training program for teenagers for a term of one year.

Recommend: Motion to approve.
Exhibit: Memo No. 01-833 from City Manager.

**Agreement – North Broward Hospital District (NBHD) –
Fitness, Wellness and Healing Arts Classes at the Beach Community Center(M-3)**

A motion authorizing the proper City officials to execute an agreement with the NBHD to conduct fitness, wellness and healing arts classes at the Beach Community Center for a term of one year effective July 1, 2001. (Also see Item M-4 on this Agenda)

Recommend: Motion to approve.
Exhibit: Memo No. 01-706 from City Manager.

Donation – North Broward Hospital District (NBHD) – Beach Community Center(M-4)

A motion authorizing the acceptance of a donation in the amount of \$25,088.70 from the NBHD for use in the fitness and wellness area of the Beach Community Center. (Also see Item M-3 on this Agenda)

Recommend: Motion to approve.
Exhibit: Memo No. 01-813 from City Manager.

**Agreement – Goodwill Industries, Inc. -
Instructional Computer Classes at the Beach Community Center (M-5)**

A motion authorizing the proper City officials to execute an agreement with Goodwill Industries, Inc. to provide instructional computer classes at the Beach Community Center for a term of one year effective July 1, 2001.

Recommend: Motion to approve.
Exhibit: Memo No. 01-637 from City Manager.

**Agreement – Florida Department of Community Affairs (DCA) –
Disaster Relief Funding for Severe Storms and Flooding in October 2000(M-6)**

A motion authorizing the proper City officials to execute an agreement with DCA to cover the City's reimbursement from the state and federal governments for actual eligible damages sustained as a result of severe flooding in October 2000.

Recommend: Motion to approve.
Exhibit: Memo No. 01-745 from City Manager.

**Contract Award – B. K. Marine Construction, Inc. –
Project 10356 – FY 2001/2002 Annual Marine Facilities Repair Contract(M-7)**

A motion authorizing the proper City officials to execute an agreement with B. K. Marine Construction, Inc. in the amount of \$43,620 for the FY 2001/2002 annual marine facilities repair contract.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-754 from City Manager.

**Transfer of General Fund Contingencies and
Contract Award – Signal Technology, Inc. – Project 10265 –
Pedestrian Traffic Signal - N.E. 62 Street (Cypress Creek Road)
Between N.E. 21 Road and N.E. 22 Avenue(M-8)**

A motion authorizing the proper City officials to execute an agreement with Signal Technology, Inc. in the amount of \$82,469.75 to construct a pedestrian traffic signal on N.E. 62 Street between N.E. 21 Road and N.E. 22 Avenue.

Funds: Transfer \$84,489.75 from General Fund Contingencies to P01265.331.

Recommend: Motion to approve.

Exhibit: Memo No. 01-600 from City Manager.

**Task Order – Keith and Schnars, P.A. – Project 10273 -
N.E. 18 Avenue Roadway Improvements from
Commercial Boulevard to the C-14 Canal (M-9)**

A motion authorizing the proper City officials to execute a Task Order with Keith and Schnars, P.A. in the amount of \$63,090 to provide engineering design services and construction drawings for the N.E. 18 Avenue roadway improvements (Phase I) from Commercial Boulevard to the C-14 Canal.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-757 from City Manager.

**Change Order No. 2 – Man-Con, Inc. – Project 10335 -
Additional Emergency Repairs at G. T. Lohmeyer Wastewater Treatment Plant(M-10)**

A motion authorizing the proper City officials to execute Change Order No. 2 with Man-Con, Inc. in the amount of \$33,400 for an additional emergency repair at the G. T. Lohmeyer Wastewater Treatment Plant.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-751 from City Manager.

**Change Order No. 1 – AAA Fire Suppression Systems –
Project 10268 – City Hall 6th Floor Computer Room Fire Suppression System(M-11)**

A motion authorizing the proper City officials to execute Change Order No. 1 with Fire Suppression Systems in the amount of \$13,075.20 for the City Hall 6th Floor computer room fire suppression system project.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-845 from City Manager; and
Memo No. 01-596 from City Manager.

**Reimbursement for Water Main Installation –
The Las Olas Company Inc. – Riverside Hotel Development(M-12)**

A motion authorizing the reimbursement of \$24,446 to the Las Olas Company, Inc., developer of the Riverside Hotel, for the additional work of replacing the entire water main from S.E. 6 Avenue to S.E. 8 Avenue along Sagamore Road.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-724 from City Manager.

**Payment to Florida Power and Light (FPL) –
Project 10091 – Floyd Hull Stadium Sports Light Upgrade(M-13)**

A motion authorizing the payment of \$11,118 to FPL for the removal of FPL facilities from the transformer vault at Floyd Hull Stadium and installation of a new 480-volt service drop to power the new sports lighting system being installed by the City.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-752 from City Manager.

**Amendment to Agreement –
Metropolitan Planning Organization (MPO) – Addition of Southwest Ranches(M-14)**

A motion authorizing the proper City officials to execute an amendment to the agreement with the MPO to include the Town of Southwest Ranches as an alternate member of the MPO.

Recommend: Motion to approve.
Exhibit: Memo No. 01-758 from City Manager.

Acceptance of Donation of Horse “Big Julie” from Joann Swanigan (M-15)

A motion authorizing the acceptance of the donation of a horse by the name of “Big Julie” from private citizen Joann Swanigan for use in the Police Mounted Patrol Unit.

Recommend: Motion to approve.
Exhibit: Memo No. 01-655 from City Manager.

**Reappropriation and Transfer of Funds for
Juvenile Alternative Motivation (JAM) and Youth Motivation Program (YMP) (M-16)**

A motion authorizing the reappropriation of Universal Hiring Grant funds (GUHP2) in the amount of \$33,395 to be used to support the JAM and YMP youth programs; and further authorizing the transfer of the funds from GUHP2 to GJAMXX in the amount of \$13,395 as revenue and GYTHM01 in the amount of \$20,000 as revenue.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 01-817 from City Manager.

**Grant – Bureau of Justice Assistance (BJA) –
Bulletproof Vest Partnership Funding(M-17)**

A motion authorizing the acceptance of designated BJA funds in the amount of \$24,521 effective October 1, 2001; and further authorizing the proper City officials to execute all necessary documents to obtain and expend these funds in support of the Bulletproof Vest Partnership Grant project.

Funds: See Memo

Recommend: Motion to approve.
Exhibit: Memo No. 01-809 from City Manager.

**Acceptance of Additional Grant Funds –
Bureau of Alcohol, Tobacco and Firearms – GREAT Program(M-18)**

A motion authorizing the acceptance of additional GREAT Program grant funds in the amount of \$25,000 from the Bureau of Alcohol, Tobacco and Firearms; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-793 from City Manager.

**Memorandum of Understanding – Broward County –
Allocation of Residential Units in the Regional Activity Center (RAC)(M-19)**

A motion authorizing the proper City officials to execute a Memorandum of Understanding with Broward County to account for the allocation of residential units in the RAC for the County and the City.

Recommend: Motion to approve.

Exhibit: Memo No. 01-840 from City Manager.

Transfer of General Fund Contingencies – City View Legal Fees(M-20)

A motion authorizing the transfer of \$15,000 from General Fund Contingencies to PED010101/3199 (Legal Services) to cover the cost of legal fees for City View.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-645 from City Manager.

**Transfer of General Fund Contingencies -
Greater Fort Lauderdale Sister Cities International, Inc...... (M-21)**

A motion authorizing the transfer of \$32,000 from General Fund Contingencies, as follows: \$20,000 to PED030301/4299 (Other Contributions) and \$12,000 to PED030301/3299 (Other Services) for Greater Fort Lauderdale Sister Cities International, Inc.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-846 from City Manager.

Amendment to Agreement – SunTrust Banking Corporation
Master Lease – Police Personally Assigned Vehicle (PAVE) Program(M-22)

A motion authorizing the proper City officials to execute an amendment to the master lease agreement with SunTrust Banking Corporation to authorize the execution of an escrow agreement with SunTrust Bank for the PAVE Program.

Recommend: Motion to approve.

Exhibit: Memo No. 01-870 from City Manager.

PURCHASING AGENDA

State – (1) 2001 Model Chevrolet Cavalier (Pur-1)

An agreement to purchase one 2001 Model Chevrolet Cavalier for Public Services is being presented for approval by the Administrative Services, Fleet Services Division.

Low Responsible Bidder: Garber Chevrolet,
Green Cove Springs, FL

Amount: \$ 12,194.00

Bids Solicited/Rec'd: N/A

Exhibits: Memorandum No. 01-718 from City Manager

The Purchasing Division recommends award from the Florida State Contract.

Bid 612-8478 – Sanitary/Storm Sewer and Emergency Rehabilitation (Pur-2)

An agreement to purchase sanitary sewer and storm sewer rehabilitation and services for emergency rehabilitation is being presented for approval by the Public Services Department.

Low Responsible Bidders: Insituform Technologies, Inc.
Jacksonville, FL and
Various Vendors (per unit cost)

Amount: \$1,567,508.42

Bids Solicited/Rec'd: 21/3 with 1 no bid

Exhibits: Memorandum No. 01-820 from City Manager

The Purchasing Division recommends award to the lowest responsive and responsible bidders.

Bid 602-8278 – One Year Extension for Sod with Installation (Pur-3)

A one year contract extension for the supply of sod with installation is being presented for approval by the Public Services and Parks and Recreation Departments.

Low Responsible Bidder: High Q Seeds Corp. (MBE)
Plantation, FL
Amount: \$ 208,000.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-827 from City Manager

The Purchasing Division has reviewed this item and recommends approval of the contract extension.

Emergency – Air Conditioner Chiller Packages (Pur-4)

An agreement for an emergency purchase of air conditioner chiller packages for War Memorial Auditorium is being presented for approval by the Public Services Department.

Low Responsible Bidders: Coastal Comfort, Inc. (WBE)
Pompano Beach, FL
Amount: \$ 99,250.00
Bids Solicited/Rec'd: 3/3
Exhibits: Memorandum No. 01-795 from City Manager

The Purchasing Division reviewed this item and supports the recommendation for approval of emergency purchase of services.

Bid 602-8267 – One year Contract for Water Meter Rotation Program (Pur-5)

One year contract for water meter rotation program is being presented for approval by the Public Services Department.

Low Responsible Bidders: Metro Meter Services, Inc.
Owensboro, KY
Amount: \$ 800,000.00 (estimated)
Bids Solicited/Rec'd: 16/3 with 2 no bids
Exhibits: Memorandum No. 01-828 from City Manager

The Purchasing Division has reviewed this item and recommends award to the first ranked proposer based on a satisfactory completion of trial period.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item Nos. M-2, M-21 and M-22 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Agreement – Auto Testers, Inc. d/b/a Advanced Car Control Techniques – Teenage Driving Training Program (M-2)

Commissioner Moore was pleased that this program was being provided, but he wondered why only 4 hours of the training was dedicated to actually driving. Mr. Steve Person, Recreation Superintendent, introduced *Mr. David Thompson*, President of Advanced Car Control Techniques. Mr. Person explained that Part II of the program was mandatory in the State of Florida, but all of the parts were important. He stated that the driver control aspect was the portion that was unique.

Commissioner Moore wanted to ensure that teenagers had ample opportunity to gain experience behind the wheel. He recalled a time when driver's education was offered in every High School, and he wondered if this program could be restructured to provide additional driving time. Mr. Person noted that in order to obtain a Learner's Permit that allowed students to drive a vehicle, the mandatory State programs had to be completed.

Mr. Thompson wished to note that the 4 hours spent behind the wheel involved 5 specific exercises, which was a much more intense training session than anyone ever received in the traditional drivers education classes that had once been offered in high schools. He noted that these were intense exercises, and this was an advanced driving course.

Commissioner Moore announced that he had located 5 more sponsors willing to match funds to sponsor students who could not afford the course, in addition to the 2 sponsors already located. He hoped additional sponsors could be located.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-2 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Transfer of General Fund Contingencies - Greater Fort Lauderdale Sister Cities International, Inc. (M-21)

Commissioner Katz offered congratulations to *Mr. Kurtz and Mr. Avon* on what they had accomplished over the past year. She inquired about next year. Mr. Avon, President of Sister Cities International, said his hope was to reach autonomy through development of a solid, continuing program in cooperation with the City as the international portfolio grew. Mayor Naugle noted that he had accompanied the delegates on 2 Sister City trips, and he commended all the members on their efforts.

Motion made by Commissioner Katz and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-21 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Amendment to Agreement – SunTrust Banking Corporation
Master Lease – Police Personally Assigned Vehicle (PAVE) Program (M-22)**

Commissioner Moore requested additional information in this regard. Mr. Boe Cole, City Treasurer, said that when this agreement had been initiated, he had been under the impression that the City would have the vehicles at the same time as the computers. However, the vehicles had to be paid for now, and the computers had not yet arrived. Therefore, in order to draw down on the full amount of the loan, the excess amount for the computers would be placed in an escrow account until it was time to pay for them. He clarified that this was just a temporary holding account.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-22 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Settlement of General Liability File No. GL 90-803
(Oldoni, Johnston and L. J. O. Recycling)(M-23)**

A motion was presented authorizing the settlement of General Liability File GL 90-803 (Oldoni, Johnston and L. J. O. Recycling) in the amount of \$95,000.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the settlement of GL 90-803 (Oldoni, Johnston and L. J. O. Recycling) in the amount of \$95,000. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Settlement of Labor Relations File No. LR 97-538B (Harold Wise)(M-24)

A motion was presented authorizing the settlement of Labor Relations File No. LR 97-538B (Harold Wise) in the amount of \$132,000.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to approve the settlement of LR 97-538B (Harold Wise) in the amount of \$132,000. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Katz thought it would be a good idea to discuss this issue now that a settlement had been reached. She felt the matter of discrimination was being tried in the press, and the City was not getting a chance to tell its side of the story. Regardless of this particular claim, there was a perception that the City had been in the wrong, but a lot of questions had not been answered. She wondered if the Diversity Manager still felt the way she had in 1999 and, if so, those concerns should be addressed. Commissioner Katz noted that the City Manager had also instituted some new rules, checks and balances, but these things were not being communicated to the public. She felt that if the City had made mistakes, they should be addressed, and efforts made should be made public.

The City Manager advised that he planned to provide a written report for publication in the major newspapers, and he had been working on it with the City Attorney's Office and the Public Information Office. Nevertheless, he wanted everyone to know that each case of alleged discrimination was different and stood on its own merits and rights. He advised that over the past 2-1/2 years, the number of employees dedicated to equal employment opportunities practices had been tripled. The City Manager noted that many of these issues were reaching closure, and there had been a decline in the number of claims filed since new programs had been initiated. Nevertheless, he was sure the problem of people doing wrong in the workplace would never be eradicated completely for various reasons when there were so many people working together. However, when things went wrong, they would be brought to the attention of the appropriate people to correct, and the City Manager committed to correcting any situations that were inappropriate.

Commissioner Katz wanted all employees to know that the City was listening, training, counseling and avoiding jumping to conclusions. The City Manager agreed that fairness was something he was striving for in all dealings with employees. Mayor Naugle was sure all of the Commissioners shared Commissioner Katz's concern, and he hoped the City Manager would be addressing the Broward County Human Rights Board. He also noted that the City Commission was precluded from getting involved in these types of matters under the City's Charter.

Commissioner Moore thanked Mr. Wise for "going the full mile." He was also concerned about the position that reporters sometimes took, and he hoped that when people heard about allegations of discrimination, they realized that they were allegations only until a case was carried through to completion. Like Commissioner Katz, Commissioner Moore was interested in the Diversity Manager's position at this time, and he pointed out that the Commission had hired a City Manager they believed would set an appropriate standard in this respect. He felt the City had taken proper action to address these issues, and progress was being made. Commissioner Moore thought it would also be helpful if everyone "looked in the mirror" to ensure they, too, were progressing in the right direction as well, particularly reporters. He described some of the City Manager's achievements over the years, and he applauded the City Manager's efforts.

Settlements for Special Master and Code Enforcement Board Cases.....(M-25)

A motion was presented authorizing the settlement of liens for the following Special Master and Code Enforcement Board cases:

1. CE00040166 – Sam Butters and Nathan Butters, 5350 N.W. 35 Avenue (\$1,500)
2. CE99051578 – Claudette White, 1823 N.W. 16 Avenue (\$500)
3. CE98091301 – Terra Linda, Inc., 15 S.E. 10 Avenue (\$2,000)
4. CE00040280 – Gy-Rich, Inc., 301 West Sunrise Boulevard (\$1,000)
5. CE99051234 – Gy-Rich, Inc., 301 West Sunrise Boulevard (\$18,000)
6. CE00051067 – Rafael A. Martinez, Ines D. Martinez and Leonarda Martinez, 1141 S.W. 26 Avenue (\$500)
7. CE00090075 – Bankers Trust Company of California, 620 N.W. 10 Terrace (\$3,000)
8. CE99121013 – Philip Mann, 800 S.E. 8 Street (\$1,000)

Commissioner Katz thought consideration should be given to a new policy with respect to these types of settlements. She recalled a policy of trying to collect 15%, but some of these settlements were in lesser amounts. Mayor Naugle believed the policy was to address these on a case-by-case basis due to the variables, such as the amount of equity in a property.

Mr. Pete Witschen, Assistant City Manager, stated that the item could be placed on a workshop agenda. He advised that the primary goal had been to get these properties back into beneficial use while not providing an incentive for people to allow their properties to deteriorate. Mr. Witschen said the 15% was used as a benchmark, but settlements were sometimes more or less. Commissioner Katz thought other cities used other methods so people would take these matters seriously.

Commissioner Smith felt that if the violations were of a nature that wreaked havoc on a neighborhood, the City should not settle cheaply. In fact, he thought far more than 15% of the fines should be collected in those cases, while he did not want to impose high fines for minor violations. Mayor Naugle believed this was the reason why these settlements had to be considered on a case-by-case basis. It was the consensus of the Commission to place this matter on an upcoming Conference agenda.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the lien settlements as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Appeal of Planning and Zoning Board Decision –
Development of Significant Impact for Sidewalk Café -
Ed Toomey and John Amodeo (PZ Case No. 133-R-99).....(M-26)**

At the December 15, 1999 Planning and Zoning Board meeting, the following application failed by a vote of 0-8.

Applicant: Ed Toomey and John Amodeo
Request: Development of Significant Impact for Sidewalk Café
Location: 219 South Atlantic Boulevard

Commissioner Katz inquired about a statute of limitations as to these types of appeals. Ms. Cecelia Hollar, Construction Services Director, stated that the Code did not address that issue. Commissioner Katz felt some sort of policy should be considered in this respect. Ms. Hollar advised that applicants were currently informed that these appeals had to be scheduled within a reasonable time frame, typically 60 days.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-93

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, PROVIDING THAT AN APPEAL OF THE PLANNING AND ZONING BOARD'S ACTION CONCERNING THE APPLICATION FOR A SIDEWALK CAFÉ ON PROPERTY LOCATED AT 219 SOUTH ATLANTIC BOULEVARD IN FORT LAUDERDALE, FLORIDA, IN A PRD ZONING DISTRICT, WILL BE CONSIDERED AT A PUBLIC HEARING BEFORE THE CITY COMMISSION AT 6:00 P.M. ON JUNE 19, 2001.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Development of Significant Impact/IOA – La Rive Condominium -
Vicenzo Esposito and Christian D. Wissing (PZ Case No. 123-R-00)(R-18)**

At the Planning and Zoning Board regular meeting on December 20, 2000, it was recommended by a vote of 5-3 that the following application be approved. On February 6, 2001, the City Commission deferred consideration of this item to March 15, 2001; on March 15, 2001, the City Commission deferred consideration of this item to April 5, 2001 by a vote of 5-0. On April 5, 2001, the City Commission denied approval of this application by a vote of 1-4 (Katz, Moore, Hutchinson and Naugle). On April 17, 2001, the City Commission approved a motion to reconsider by a vote of 4-1 (Naugle), and scheduled this item for consideration for May 15, 2001 by a vote of 5-0. On May 15, 2001, this item was deferred to June 5, 2001 by a vote of 5-0.

Applicant: Vicenzo Esposito and Christian D. Wissing
Request: Approval of development of significant impact/IOA
Location: La Rive Condominium - 715, 725 Bayshore Drive

Motion made by Commissioner Katz and seconded by Commissioner Moore that this item be deferred to June 19, 2001 at 6:00 p.m. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

The Waverly Project (PZ Case No. s30-P-00) (OB)

Motion made by Commissioner Katz and seconded by Commissioner Smith to reconsider The Waverly Project (PZ Case No. 30-P-00). Roll call showed: YEAS: Commissioners Katz, Smith and Moore. NAYS: Commissioner Hutchinson and Mayor Naugle.

Commissioner Moore suggested this public hearing be scheduled for July because the June 19, 2001 agenda was already quite full. Commissioner Hutchinson asked if the same project would be presented, and Commissioner Katz expected there would be changes. *Mr. Dennis Mele*, Attorney representing the applicant, understood this public hearing would address parking reductions and the site plan. Commissioner Katz understood the right-of-way vacation had to be considered separately. Mr. Mele stated that there was a time frame involved with the expiration of the contract, so he asked that the public hearing be held on June 19, 2001.

The City Attorney stated that although the City tried to accommodate applicants to the extent that it could, a vacation involved an ordinance that had to be read twice at two public hearings. He advised that based on this action, staff would properly notice the ordinance and present it to the Commission as quickly as possible under the Charter.

Motion made by Commissioner Katz and seconded by Commissioner Smith to schedule a public hearing in this regard on June 19, 2001 at 6:00 P.M. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Amendment to
Cable System Franchise Agreement – RCN Telecom Services, Inc.(PH-1)**

A public hearing was scheduled to consider an ordinance pursuant to Sections 8.15 and 8.17 of the Charter of the City, amending the cable system franchise with RCN Telecom Services, Inc. to extend deadlines for construction of the cable system and institutional network and for local programming financial support, and authorizing the proper City officials to execute a first amendment to franchise agreement with RCN Telecom Services, Inc. Notice of public hearing was published May 24 and 31, 2001.

Mayor Naugle understood this item would be deferred. Commissioner Moore agreed and wanted the motion to state that the City would not request the \$50,000 from RCN Telecom Services, Inc. Further, he wanted the City to find a method of getting the “overbuild” constructed. Commissioner Moore was concerned that this particular extension would harm the City, so he was happy it would be deferred to September.

Motion made by Commissioner Moore and seconded by Commissioner Smith to defer this item to September 5, 2001 at 6:00 P.M., to waive the \$50,000, and to waive the requirement that construction commence on July 18, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Mr. Thomas Casteel, Jr., Vice-President of RCN Telecom, was disappointed to be requesting this extension, but the economic climate a year ago had been very different from today. He explained that this had caused a pause, although he continued to believe Fort Lauderdale would be a wonderful market for this company. At this time, however, money and time was working against it, and he appreciate this deferral to September.

**Vacate a North/South Alley – Corporate Properties
Holdings, Inc. and Harold F. Reichert, Jr. (PZ Case No. 2-P-01)..... (PH-2)**

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Notice of public hearing was published May 24 and 31, 2001. (Also see Items PH-3, R-12 and R-14 on this Agenda).

Applicant: Corporate Properties Holdings, Inc. and Harold F. Reichert, Jr.
Request: Vacate a north/south alley
Location: 2411 South Federal Highway (U.S. 1)

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore and Hutchinson, and Mayor Naugle. NAYS: None.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-21

AN ORDINANCE VACATING, ABANDONING AND CLOSING ALL OF THE 16 FOOT ALLEY IN BLOCK 3 "MIDWAY SECTION OF CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 63 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID ALLEY RUNNING NORTH TO SOUTH AND LYING WEST OF AND ADJACENT TO LOTS 1 THROUGH 10 OF SAID BLOCK 3, LOCATED BETWEEN SOUTHEAST 24TH STREET AND SOUTHEAST 25TH STREET, WEST OF FEDERAL HIGHWAY AND EAST OF SOUTHEAST 4TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate a Portion of S.E. 25 Street – Corporate Properties Holdings, Inc. and Harold F. Reichert, Jr. (PZ Case No. 3-P-01)..... (PH-3)

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Notice of public hearing was published May 24 and 31, 2001. (Also see Items PH-2, R-12 and R-14 on this Agenda)

Applicant: Corporate Properties Holdings, Inc. and Harold F. Reichert, Jr.
Request: Vacate a portion of S.E. 25 Street
Location: 2411 South Federal Highway (U.S. 1)

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-22

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF SOUTHEAST 25TH STREET, (PLATTED AS PORVENIR STREET), AS SHOWN ON THE PLAT OF "MIDWAY SECTION OF CROISSANT PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 9, PAGE 63, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BOUNDED ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF FEDERAL HIGHWAY AND BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF SOUTHEAST 4TH AVENUE (PLATTED AS DELLWOOD AVENUE), LOCATED BETWEEN SOUTHEAST 4TH AVENUE AND FEDERAL HIGHWAY, ONE BLOCK SOUTH OF STATE ROAD 84, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Vacate a Portion of North/South Alley –
Moving Picture Electronic Services, Inc. (PZ Case No. 27-P-00)(PH-4)**

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. Notice of public hearing was published May 24 and 31, 2001.

Applicant: Moving Picture Electronic Services, Inc.
Request: Vacate a portion of north/south alley
Location: North/south alley north of S.E. 20 Street between Miami Road and S.E. 10 Avenue

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Ray Dettman, representing the Harbordale neighborhood, felt that if the City was going to give 5' to the applicant, the rest of the alley should be improved.

Commissioner Hutchinson asked what happened to the portion of the alley that was not being vacated. Ms. Cecelia Hollar, Construction Services Director, replied that it would remain public right-of-way, and maintenance was the City's responsibility. Commissioner Hutchinson agreed that if half the alley was going to be improved, the City should improve the other half. Mayor Naugle thought the applicant could cover that cost.

Ms. Barbara Hall, Attorney representing the applicant, felt this vacation was somewhat unusual and displayed a graphic of the area. She explained that the south half of the alley was a private driveway serving the warehouse to the east. Ms. Hall noted that the alley was entirely unimproved. It was overgrown and significantly below the level of adjoining properties, and there was a power pole in the center. The applicant wished to take 5' of the overgrown area and convert it to a landscape buffer for the parking area. Ms. Hall did not think it would be in anyone's interests to pave the area because then it would just serve as additional driveway for the warehouse. She stated that the cost would also be significant because drainage and fill would also be necessary, and there was no apparent public purpose. Ms. Hall pointed out that the applicant was not taking an alley out of public use because this was not being used for public purposes now. She displayed photographs of the alley and noted that the alley did not extend to the north or the south.

Mayor Naugle did not believe anyone was suggesting the alley be paved, but that it be cleaned and landscaped. Ms. Hall advised that the applicant was willing to clear it and landscape it. Mayor Naugle suggested the applicant work with staff on a landscaping plan. It was agreed the ordinance would be amended accordingly.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance, as amended, on first reading:

ORDINANCE NO. C-01-23

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE WEST 5 FEET, AS MEASURED ALONG THE NORTH AND SOUTH LINES, OF THE 15 FOOT ALLEY LYING EAST OF AND ADJACENT TO LOTS 12 THROUGH 14, BLOCK 24, "CORRECTED PLAT OF EVERGLADE LAND SALES COMPANY'S FIRST ADDITION TO LAUDERDALE, FLORIDA", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 15 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BEING BOUNDED ON THE SOUTH BY THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 14 AND BEING BOUNDED ON THE NORTH BY THE EASTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 12, LOCATED BETWEEN SOUTHEAST 19TH STREET AND SOUTHEAST 20TH STREET, EAST OF MIAMI ROAD AND WEST OF SOUTHEAST 10TH AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Certificate of Public Convenience
and Necessity – Broward Limousine & Airport Service, Inc.(PH-5)**

A public hearing was scheduled to consider the application of Broward Limousine & Airport Service, Inc. to operate five (5) rental vehicles with chauffeurs over irregular routes within the City, pursuant to Sections 27-191 and 27-192 of the ordinances of the City. Notice of public hearing was published May 24 and 31, 2001.

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Smith to close public hearing. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-94

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BROWARD LIMOUSINE AND AIRPORT SERVICE, INC. TO OPERATE RENTAL VEHICLES WITH CHAUFFEURS PURSUANT TO SECTIONS 27-191 AND 27-192 OF THE CODE OF ORDINANCES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Citizen Presentations (OB)

Mayor Naugle announced that this was the time when citizens who had submitted an application were given an opportunity to address the City Commission. Each citizen was allowed 3 minutes to speak, and 2 speakers had submitted applications.

Mr. Virgil Niederriter, 104 Southwest 21st Way, wished to take this opportunity to express appreciation for the park work being done in his neighborhood. He also wanted to ask Commissioner Hutchinson if she would champion the renaissance of Davie Boulevard. Mr. Niederriter stated that there had been 6 meetings to plan the new park, and it had been decided that a community center would be constructed before the water park portion. He noted that some additional funds had come from Broward County, and a plan had been approved for a community center in the center and the water feature at the western end. Mr. Niederriter wanted the Commission to adopt "Plan B," as supported by the neighborhood before available funds for a community center were gone.

The second speaker who had submitted an application, Mr. Frank Utset, did not appear.

**Vacate a Portion of Flagler Avenue –
E. & B. Morley and T. & M. Tahmassebi (PZ Case No. 25-P-00)..... (O-1)**

At the Planning and Zoning Board regular meeting on March 21, 2001, it was recommended by a vote of 8-0 that the following application be approved. Ordinance No. C-01-19 was published April 21, 2001. On May 1, 2001, the City Commission deferred first reading to May 15, 2001 by a vote of 5-0; on May 15, 2001, first reading was approved by a vote of 5-0.

Applicant:	E. & B. Morley and T. & M. Tahmassebi
Request:	Vacate a portion of Flagler Avenue abutting Lots 1 through 9, Block 59, Croissant Park, Plat Book 4, Page 28 and the Florida East Coast (FEC) Railroad.
Location:	Flagler Avenue, east of the FEC Railroad, between S.W. 18 Court and S.W. 20 Street

Mr. Raymond Jones, Director of Real Estate Development for the Florida East Coast Railway, said he was present tonight because one of its customers had informed him about this item. He advised that part of the subject property was currently encumbered by railroad tracks that was now being leased to U.S. Pipe. It had been used for many years in this fashion by U.S. Pipe and Caribbean International Shipping. Mr. Jones said the vacated area was 50' from the back of the building, and the first 2 tracks were within the confines of that 50'. He displayed a map and photographs of the area in question, which were served by 5 tracks off the main line. He noted that allowing a fence within 10' would create a safety hazard for train operations.

Mayor Naugle asked if the FEC had been notified of the Planning & Zoning Board meeting at which this issue had been considered. Mr. Jones replied that a notice had not been received. He had received notification of this last week. Ms. Cecelia Hollar, Construction Services Director, reported that staff had verified that notice had been sent to the FEC at its East Broward Boulevard address.

Commissioner Hutchinson asked Mr. Ritchie how long he had been working on this issue. *Mr. Mark Ritchie*, representing the applicants, believed he had been working on it for about 2 years. Commissioner Hutchinson understood the history of the area had been researched dating back about 50 years. *Mr. Chuck Ritchie* stated that was correct, and he had notified Mr. Bagley, of the FEC, on behalf of the applicants, in 1999 and in 2000. He advised that the only utilities located within the subject area was a sewer line that would be addressed with an easement agreement. Mr. Ritchie added that neither he nor the City Clerk had been able to locate any evidence indicating that the FEC had any right to facilities within the dedicated street.

Mr. Bob Dunckel, Assistant City Attorney, reported that a letter had been sent to Mr. Bagley on November 15, 2000, which included an extensive analysis of the lines of authority for the various spurs. He had been unable to determine by what authority the FEC had certain spurs that were apparently at issue now. Mr. Dunckel had requested information about that authority, but he had received no response. Mr. Jones stated that Mr. Mike Bagley had provided an objection to the November 15 letter on December 23, 1999. He added that the spur had been there for at least 35 years. He added that the Broward Boulevard address was incorrect.

Commissioner Hutchinson had received a faxed copy of some correspondence, but there was no address listed, and she could not get the FEC to properly maintain the areas along the tracks now. Commissioner Smith asked under what authority the FEC had placed these tracks and when.

Mr. Dunckel wished to clarify that Mr. Jones had referred to correspondence in 1999, but after extensive analysis in 2000, the City had invited the FEC to provide proof of authority for that spur track. However, there had been no response.

Mr. Jones stated that he had not received the correspondence to which Mr. Dunckel referred, and there had been no change of address. He stated that Peninsula Supply had permission to lay the track by Resolution No. 2574. Mr. Dunckel stated that Resolution No. 2574 did not refer to the spur track in question. Mr. Hector Castro, City Engineer, agreed this resolution provided for a spur to serve a property south of Southwest 20th Street, but this was north of Southwest 18th Court.

Mr. Antonio Marcelli said he had brought this to the attention of the FEC Railway last week when he had seen the sign advertising the public hearing. He stated that the subject spur served his warehouse, and it was an active spur. He advised that his business would have to close without this spur. Mayor Naugle asked how often it was used, and Mr. Marcelli replied it was used every week. Mayor Naugle believed this would be a civil matter between the 2 property owners.

Commissioner Smith inquired as to the reason for the vacation. Mr. (Mark) Ritchie replied that the applicants intended to use it for off-street parking and future expansion of a business. Commissioner Smith wondered if the intent could be accomplished by the granting of a parking reduction. Mr. Ritchie explained the intent was to get cars parking on either side of 1st Avenue off the street and into a parking area. Commissioner Smith was hopeful that some compromise could be reached so Mr. Marcelli's business would not be affected. Mr. Ritchie did not believe a compromise was possible.

Mr. Elmore Morley, applicant, explained that his business had grown and in order to maintain it properly, this vacation was necessary. He stated that the area in question was in a deplorable condition, and he wanted to secure his property as well because the area was being used as a dump. In fact, it had recently been used to store a highly flammable rail car. Mr. Morley believed this spur could be moved, although that would be inconvenient for the FEC. His intent was to maintain the City's parking standards and with the community's standards for appearance.

Commissioner Hutchinson pointed out that the area was in poor condition, and the area neighborhood association had embraced this plan to address the situation. She also noted that a sign advertising the Planning & Zoning Board meeting had also been posted on the property, so she did not understand why this issue was just arising now. Commissioner Smith asked who was responsible for maintenance of the area at the present time. Mr. Castro replied that it was unimproved City right-of-way. Commissioner Smith felt a City crew should clean up this area in the morning, and he thought the FEC should try to keep the area more presentable. He also thought the area businesses should have some consideration for one another and work together on this so the City did not have to select one business over another.

Mayor Naugle requested a copy of the mailing list used for notification of this item. Ms. Hollar advised that the Code required the applicant to provide appropriate notice. He wanted to ensure that the FEC had been notified. If so, he was prepared to support this ordinance but, if not, it might be best to defer the item to see if something could be arranged among the parties. Ms. Hollar advised that the address listed by the Property Appraiser's Office for the owner of this property was 405 East Broward Boulevard.

Mr. Tom Tahmassebi said he had operated a paint and body shop in this location since 1938. His intent was to use the vacated area for the outside storage of vehicles. Commissioner Moore felt this issue should be deferred to June 19, 2001 to allow the parties to discuss the possibilities.

Mr. (Chuck) Ritchie pointed out that this vacation would not impede other businesses as there was other access. It was the consensus of the Commission to defer this item to see if the parties could work out an arrangement without the City becoming involved.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson to defer second reading to 6:00 P.M. on June 19, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Hutchinson requested information about the cost of relocating the track when the issue was considered again. Mayor Naugle also asked staff to research the address used for notification purposes.

Amendment to Chapter 8 –

Boats, Docks, Beaches and Waterways – Deletion of

Coral Bay and Substitution of Sunrise Bay as a Watersports Activities Area (O-2)

An ordinance was presented amending Chapter 8 titled, "Boats, Docks Beaches and Waterways," of the Code of Ordinances to amend Section 8-166 to delete Coral Bay and substitute Sunrise Bay as a watersports activities area. Ordinance No. C-01-20 was published May 26, 2001, and passed on first reading May 15, 2001 by a vote of 5-0.

Commissioner Smith introduced the following ordinance on second reading:

ORDINANCE NO. C-01-20

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING CHAPTER 8, BOATS, DOCKS, BEACHES AND WATERWAYS, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE BY AMENDING CODE SECTION 8-166 THEREOF DELETING CORAL BAY AND SUBSTITUTING SUNRISE BAY AS A WATERSPORTS ACTIVITIES AREA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 8:37 P.M., Commissioner Katz left the meeting.

**Small Scale Future Land Use Map Amendment –
Adoption of Texaco Site - Prospect Wellfield Area
(Prospect Road and State Road 7) (PZ Case No. 20-R-01) (O-3)**

An ordinance was presented to adopt the Small Scale Future Land Use Map Amendment to include the Texaco site, located in the Prospect Wellfield area, within our city limits on the Future Land Use Map and assign a Future Land Use Designation of Conservation. Ordinance No. C-01-18 was approved on first reading May 15, 2001 by a vote of 4-0. (Also see Item R-5 on this Agenda).

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-18

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING THE 1989 FORT LAUDERDALE COMPREHENSIVE PLAN TO INCLUDE AN ANNEXED AREA LYING IN SECTION 7, TOWNSHIP 49 SOUTH, RANGE 42 EAST, BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 7, BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF PROSPECT ROAD (N.W. 56TH STREET) AND BOUNDED ON THE EAST AND NORTH BY LANDS OWNED BY THE CITY OF FORT LAUDERDALE AND KNOWN AS THE "PROSPECT WELLFIELD" LOCATED AT THE NORTHEAST CORNER OF PROSPECT ROAD AND STATE ROAD NO. 7 (U.S. 441); AND AMENDING THE FUTURE LAND USE MAP TO INCLUDE THE ANNEXED AREA AND TO CHANGE THE LAND USE FROM COMMERCIAL TO CONSERVATION.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Grant – State of Florida

Department of Education – Summer Food Service Program (R-1)

A resolution was presented authorizing the proper City officials to apply for a grant from the State of Florida Department of Education in the approximate amount of \$175,600 (on a reimbursable basis) for the Summer Food Service Program; and further authorizing the proper City officials to execute all documents necessary to accept such grant funds.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-95

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A REIMBURSABLE GRANT FROM THE STATE OF FLORIDA, DEPARTMENT OF EDUCATION FOR (\$175,600.00) IN FUNDING, FOR THE SUMMER FOOD SERVICE PROGRAM OF THE CITY OF FORT LAUDERDALE; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ANY DOCUMENTS NECESSARY TO OBTAIN SUCH GRANT FUNDS; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA TO PROVIDE FOOD PREPARATION SERVICES UNDER THIS GRANT PROGRAM.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 8:40 P.M., Commissioner Katz returned to the meeting.

Joint Participation Agreement (JPA) –

Florida Department of Transportation (FDOT) –

Project 15160B – Tree Relocation on N.W. 16 Avenue

at Joseph C. Carter Park (R-2)

A resolution was presented authorizing the proper City officials to execute a JPA with FDOT for the City to relocate trees on the east side of N.W. 16 Avenue, to be reimbursed half the cost by FDOT up to \$35,000.

Commissioner Smith asked what kind of trees would be moved. Mr. Pete Sheridan, Assistant City Engineer, replied that they were oak trees of substantial size. Commissioner Smith asked who would move them, and Mr. Sheridan advised that the City would contract the relocation. Commissioner Smith stated that this would be extremely difficult to move these types of trees in the summer, and he suggested that the relocation be deferred until the winter time. Mr. Sheridan advised that it would take some time to prepare the trees for relocation by root pruning.

Commissioner Moore wondered why the FDOT was not paying the full cost. Mr. Sheridan stated that the FDOT had agreed to construct the turn lane without impacting the trees, but that was not the case, and staff had negotiated with the FDOT to participate in the cost in the amount of 50%.

Mayor Naugle asked if the City's costs would be recovered for the engineering. Mr. Sheridan said he could make that request. Mayor Naugle felt the City's costs should be included in the price for the relocation. Commissioner Moore asked if the lane change was being done at the request of the FDOT. Mr. Sheridan replied that it was being done at the request of the City in conjunction with the plan for Carter Park.

Commissioner Moore introduced the following resolution:

RESOLUTION NO. 01-96

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, PROVIDING PARTIAL FUNDING TO THE CITY OF FORT LAUDERDALE FOR THE RELOCATION OF TREES NECESSARY FOR THE WIDENING OF NW 16 AVENUE ADJACENT TO JOSEPH C. CARTER PARK.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Lot Clearing and Cleaning Charges (R-3)

A resolution was presented authorizing the imposition of liens against certain properties for costs associated with clearing and removal of debris located thereon.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-97

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF CLEARING LOTS FOUND TO HAVE AN UNLAWFUL OR EXCESSIVE ACCUMULATION OF RUBBISH, DEBRIS OR TRASH UNDER CHAPTER 18 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA AND IMPOSING SPECIAL ASSESSMENT LIENS AGAINST SUCH PROPERTIES FOR THE COST AND EXPENSE INCURRED IN CLEANING AND CLEARING SAME; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD A NOTICE OF SPECIAL ASSESSMENT LIEN IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Building Board-Up and Securing Charges (R-4)

A resolution was presented authorizing the proper City officials to impose liens against such properties for costs associated with boarding and securing the buildings.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-98

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, CHARGING AND ASSESSING AGAINST THE PROPERTIES DESCRIBED IN THE SCHEDULE ATTACHED HERETO THE COST AND EXPENSE OF SECURING AND BOARDING UP BUILDINGS LOCATED THEREON WHICH WERE FOUND UNSAFE UNDER SECTION 202 OF THE SOUTH FLORIDA BUILDING CODE AND IMPOSING LIENS AGAINST SUCH PROPERTIES; AUTHORIZING AND DIRECTING THE PROPER CITY OFFICIALS TO RECORD CLAIMS OF LIEN AGAINST THE PROPERTIES IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Transmit to Broward County Planning Council –
Small Scale Future Land Use Map Amendment –
Adoption of Texaco Site - Prospect Wellfield Area
(Prospect Road and State Road 7) (PZ Case No. 20-R-01) (R-5)**

A resolution was presented authorizing the Small Scale Future Land Use Map Amendment for the Texaco Site (Prospect Wellfield area on Prospect Road and State Road 7) be transmitted to Broward County Planning Council for the Group 4 Small Scale Amendment Cycle. (Also see Item O-3 on this Agenda).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-99

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPROVING THE TRANSMITTAL OF A SMALL SCALE AMENDMENT TO THE CITY OF FORT LAUDERDALE COMPREHENSIVE PLAN TO INCLUDE AN ANNEXED AREA AND IDENTIFYING A LAND USE DESIGNATION, TO THE BROWARD COUNTY PLANNING COUNCIL; REQUESTING AMENDMENT OF THE BROWARD COUNTY LAND USE PLAN AND INCLUDING THE AMENDMENT IN ITS GROUP 4 SMALL SCALE AMENDMENT CYCLE FOR 2001 AND REQUESTING THE ADMINISTRATOR OF THE BROWARD COUNTY PLANNING COUNCIL TO RECERTIFY THE CITY'S SMALL SCALE AMENDMENT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Notification to Broward County Legislative Delegation
and Broward County Board of County Commissioners –
City of Fort Lauderdale to Appear on Ballot for the
Annexation of the Greater Riverland Road Area (R-6)**

A resolution was presented notifying the Broward County Legislative Delegation and Broward County Board of County Commissioners of the City's desire to appear on the ballot for the annexation of the Greater Riverland Road Area.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-100

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, NOTIFYING THE BROWARD COUNTY LEGISLATIVE DELEGATION AND THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS OF ITS DESIRE TO APPEAR ON A BALLOT TO ANNEX THE AREA KNOWN AS THE GREATER RIVERLAND ROAD AREA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Executive Airport - Joint Participation Agreement (JPA) –
Florida Department of Transportation (FDOT) – Aircraft Parking Apron (R-7)**

A resolution was presented authorizing the proper City officials to execute a JPA with FDOT for the City to accept up to 80 percent of the costs associated with the design and construction of an aircraft ramp area contiguous to the Airport Administration Building currently estimated at \$650,000; and further authorizing approval of the proposed site plan.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-101

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A GRANT FOR PARTIAL FUNDING FOR THE DESIGN AND CONSTRUCTION OF AN AIRCRAFT RAMP AREA CONTIGUOUS TO THE AIRPORT ADMINISTRATION BUILDING AT FORT LAUDERDALE EXECUTIVE AIRPORT; AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Executive Airport – Cypress Concourse E, LLC -
Amendment to Lease Agreement – Parcel E Traffic Signal (R-8)**

A resolution was presented authorizing the proper City officials to execute an amendment to the lease agreement with Cypress Concourse E, LLC for Parcel E to provide if within 7.5 years Broward County determines that a traffic signal at N.W. 62 Street and N.W. 15 Avenue is necessary, then the lessee will be obligated to pay up to a maximum of \$100,000.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-102

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A FIRST AMENDMENT TO LEASE AGREEMENT WITH CYPRESS CONCOURSE E, LLC, PROVIDING SECURITY FOR FUNDING THE CONSTRUCTION OF A TRAFFIC LIGHT AT THE INTERSECTION OF NW 62 STREET AND NW 15 AVENUE, SHOULD SUCH A TRAFFIC LIGHT BE WARRANTED.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Executive Airport - Joint Participation Agreement
(JPA) – Florida Department of Transportation (FDOT) -
Aircraft Rescue and Firefighting/Emergency
Operations Center (ARFF/EOC) Facility (R-9)**

A resolution was presented authorizing the proper City officials to execute a JPA with FDOT for the City to accept up to 80 percent of the costs associated with the design and construction of a new ARFF/EOC building at Executive Airport, starting with the \$460,000 currently available from FDOT.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ACCEPTING A GRANT FOR PARTIAL FUNDING FOR THE DESIGN AND CONSTRUCTION OF A NEW AIRPORT RESCUE AND FIRE FIGHTING STATION AND EMERGENCY OPERATIONS CENTER AT FORT LAUDERDALE EXECUTIVE AIRPORT; AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate Utility Easement – The Salvation Army (DRC Case No. 3-M-00) (R-10)

A resolution was presented authorizing the vacation of a utility easement lying south of and adjacent to Lots 11 and 13 and lying north of and adjacent to Lots 12 and 14, Kelly and Oliver Subdivision of Lot 4, Block 20, Town of Fort Lauderdale, Plat Book B, Page 40(D) together with a portion of Lot 5, Block 20, Town of Fort Lauderdale, Plat Book B, Page 40(D). (Also see Item R-11 on this Agenda).

Applicant: The Salvation Army
Request: Vacate utility easement
Location: 1445 West Broward Boulevard

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT LYING OVER THE SOUTH 15 FEET OF THE NORTH 145 FEET OF LOT 5, BLOCK 20, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA AND SOUTH OF AND ADJACENT TO LOTS 11 AND 13, "KELLY AND OLIVER SUBDIVISION OF LOT 4, BLOCK 20, TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA BOUNDED ON THE EAST BY THE SOUTHERLY EXTENSION OF THE EAST LINE OF SAID LOT 11 AND BOUNDED ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 9TH AVENUE, LOCATED ON THE EAST SIDE OF SOUTHWEST 9TH AVENUE, APPROXIMATELY 115 FEET SOUTH OF WEST BROWARD BOULEVARD, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate 20-Foot Utility Easement – The Salvation Army (DRC Case No. 4-M-00) (R-11)

A resolution was presented authorizing the vacation of a 20-foot utility easement in Lot 5, Block 20, Town of Fort Lauderdale, Plat Book B, Page 40(D). (Also see Item R-10 on this Agenda).

Applicant: The Salvation Army
Request: Vacate 20-foot utility easement
Location: 1445 West Broward Boulevard

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING THAT CERTAIN UTILITY EASEMENT BEING THE SOUTH 5.00 FEET OF LOT 5, BLOCK 20, "TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, LESS AND EXCEPT THE WEST 5.00 FEET THEREOF, LOCATED ON THE EAST SIDE OF SOUTHWEST 9TH AVENUE ONE BLOCK SOUTH OF WEST BROWARD BOULEVARD, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate Two Utility Easements –

Corporate Properties Holdings, Inc. (DRC Case Nos. 3-M-01 and 4-M-01) (R-12)

A resolution was presented authorizing the abandonment of an eight-foot utility easement and a five-foot utility easement. (Also see Items PH-2, PH-3 and R-14 on this Agenda).

Applicant: Corporate Properties Holdings, Inc.
Request: Vacate two utility easements
Location: Between S.E. 25 Street and S.E. 26 Street, west of South Federal Highway

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THE 5 FOOT UTILITY EASEMENT IN TRACT "A", "A.M.C. PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 88, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, BEING THE SOUTH 5.00 FEET OF THE WESTERLY MOST 101.97 FEET OF SAID TRACT "A"; TOGETHER WITH ALL OF THE 8 FOOT UTILITY EASEMENT IN TRACTS "A" AND "B", OF SAID "A.M.C. PLAT", SAID EASEMENT BEING 8 FEET WIDE IN AN EAST WEST DIRECTION AND BEING BOUNDED ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF SOUTHEAST 25TH STREET AND BOUNDED ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF SOUTHEAST 26TH STREET, LOCATED BETWEEN FEDERAL HIGHWAY AND SOUTHEAST 4TH AVENUE, AND BETWEEN SOUTHEAST 25TH STREET AND SOUTHEAST 26TH STREET, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate Access Easement – James Kane, Trustee (DRC Case No. and 5-M-01) (R-13)

A resolution was presented authorizing the abandonment of an access easement.

Applicant: James Kane, Trustee
Request: Vacate access easement
Location: 617 S.W. 3 Avenue

Mayor Naugle inquired about the use of this property. *Mr. Leigh Kerr*, representing the applicant, advised that this access was no longer needed because there was access off Southeast 3rd Avenue. He stated that Ward Marine Electric would be constructing a new facility in this location.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, VACATING ALL OF THAT 24 FOOT ACCESS EASEMENT IN PARCEL "B", "SNYDER PLAT", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 153, PAGE 18, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID EASEMENT RUNNING IN AN EAST/WEST DIRECTION AND BEING BOUNDED ON THE WEST BY THE WEST LINE OF SAID PARCEL "B" AND BOUNDED ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 3RD AVENUE, LOCATED BETWEEN SOUTHWEST 6TH STREET AND SOUTHWEST 7TH STREET, WEST OF SOUTHWEST 3RD AVENUE AND EAST OF SOUTHWEST 4TH AVENUE, LYING AND BEING IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Plat Approval – Star Motors Plat -
Corporate Properties Holdings, Inc./**

Harold F. Reichert, Jr. (PZ Case No. 1-P-01) (R-14)

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 7-0 that the following application be approved. (Also see Items PH-2, PH-3 and R-12 on this Agenda).

Applicant: Corporate Properties Holdings, Inc./Harold F. Reichert, Jr.
Request: Plat approval
Location: 2411 South Federal Highway

Commissioner Hutchinson asked when the restaurant would be demolished. *Ms. Sherry Reichert*, representing the applicant, stated that the demolition would take place on or before June 14, 2001 according to the contractor.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-108

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "STAR MOTORS PLAT".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Plat Approval – Henderson Mental Health Center Plat (PZ Case No. 22-P-00) (R-15)

At the April 18, 2001 Planning and Zoning Board regular meeting, it was recommended by a vote of 6-0 that the following application be approved.

Applicant: Henderson Mental Health Center, Inc.
Request: Plat approval
Location: 330 S.W. 27 Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-109

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA APPROVING A PLAT KNOWN AS "HENDERSON MENTAL HEALTH CENTER".

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

**United States Coast Guard –
Operation of Intracoastal Drawbridge on Commercial Boulevard(R-16)**

A resolution was presented authorizing the proper City officials to execute an agreement with the U. S. Coast Guard for the operation of the Intracoastal Drawbridge on Commercial Boulevard on a fixed schedule.

Mayor Naugle asked if the Marine Advisory Board had provided input on this issue. Mr. Hector Castro, City Engineer, did not believe this had been presented to the Board. He also wished to clarify that staff was not asking the Commission to approve an agreement between the City and the Coast Guard. Rather, the resolution was one supporting a request of the Town of the Lauderdale-by-the-Sea to adjust this bridge opening schedule.

Commissioner Moore suggested that this be rescheduled with the correct wording. Mayor Naugle noted that this was within Commissioner Katz's district, and some residents might feel this would negatively affect their property values. He desired input from the Marine Advisory Board. Commissioner Smith did as well and said his constituents wanted to take a look at the larger picture in terms of all the bridge operations. He felt there should be a report on the entire issue.

Commissioner Katz thought a report could be presented, but she wanted to support the request of Lauderdale-by-the-Sea in the meantime. Commissioner Smith said he would defer to the district Commissioner on this particular bridge opening. Commissioner Katz wondered if Lauderdale-by-the-Sea had some kind of time constraints.

Mr. Dennis Girisgen, Engineering Division, stated that the Coast Guard intended to implement a 20-minute bridge opening schedule and, in conjunction with that, there would be a public involvement process sometime before July, and the City would be notified of the date.

Mayor Naugle thought there would be time for the Marine Advisory Board to consider this issue. It was the consensus of the Commission to pass this resolution subject to concurrence by the Marine Advisory Board on June 7, 2001.

Commissioner Moore introduced a written resolution, subject to concurrence by the Marine Advisory Board, entitled:

RESOLUTION NO. 01-110

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ENCOURAGING THE UNITED STATES COAST GUARD AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION TO IMPLEMENT A BRIDGE OPENING SCHEDULE OF TWENTY MINUTE INTERVALS FOR THE COMMERCIAL BOULEVARD BRIDGE OVER THE INTRACOASTAL WATERWAY BETWEEN THE HOURS OF 8:00 A.M. AND 6:00 P.M. FROM NOVEMBER 1 THROUGH MAY 15 OF EACH YEAR.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: None.

Reschedule July 3, 2001

Conference and Regular Meetings to July 10, 2001 (R-17)

A resolution was presented authorizing the Tuesday, July 3, 2001 Conference and Regular meetings be rescheduled to Tuesday, July 10, 2001.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-111

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, RESCHEDULING THE JULY 3, 2001, REGULAR AND CONFERENCE MEETING OF THE CITY COMMISSION TO JULY 10, 2001.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Cherry Building (OB)

A motion was presented declaring the City's intent to seek offers for the purchase, sale and relocation of the Cherry Building.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson declaring the City Commission's intent to entertain offers from not-for-profit organizations to enter into an agreement for the purchase, sale and relocation of the Cherry Building, subject to modification of time frames for removal of the building on or before July 4, 2001, with offers submitted to the Purchasing Division on or before the close of business on June 18, 2001. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Beach Redevelopment Advisory Board	Evelyn Lewis
Board of Commissioners, City of Fort Lauderdale Housing Authority	Tam A. English
Education Advisory Board	Egle Gallagher Lincoln Pastuer
Historic Preservation Board	Clay H. Wieland Tom Tatum Charles Jordan
Northwest-Progresso-Flagler Heights Redevelopment Advisory Board	William S. Cone, Sr. Laura Mutti David Damerau Les Lambert Lennard Robinson James C. Brady Tim Hernandez Lisa Rogers Cherry George Burrows Peter Feldman Maria Freeman Stan Brown Jerry Carter Sean Jones
Planning and Zoning Board	Kenneth Hawkins

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-112

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 8:58 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

Lucy Masliah
City Clerk